

## **DISTRICT ADVISORY BOARD MINUTES DISTRICT I**

November 4, 2002

7:00 p.m.

*Atwater Community Center, 2755 E. 19<sup>th</sup>, Wichita, Kansas 67214*

### **Members Present**

Council Member Brewer  
Treatha Brown Foster  
Rickie Coleman\*  
Joann Hartig\*  
Kenneth Hemmen  
Lori Lawrence  
Debby Moore  
Sharon Myers  
Celina Porter Robinson  
Steve Roberts\*  
Lois Tully-Gerber  
James Thompson  
Carrie Jones Williams  
Ken Woodard

### **Members Absent**

Willard Walker

### **Guest List**

Debra Miller, 1431 S Hillside  
Sereta Jones, 1237 N. Pennsylvania  
Edward Jones, 1237 N. Pennsylvania  
Dorothy Nave, 1802 Looman  
Erma Collins, 1247 N Pennsylvania  
Rosemary Thomas, 1228 N Pennsylvania  
Glen Dey, 4515 Greenbriar  
Ola Parks, 1628 E 11<sup>th</sup> Street  
Carl Ligon, 1736 Northeast Parkway  
Willie Burton, 2356 N Poplar  
Jo Lewis, 2237 N Kansas  
William Foster, 2211 N Kansas  
Linda Estep, 2523 N Roosevelt Ct.

### **Staff Present**

Chief Larry Garcia, Wichita Fire Department  
Sergeant Alex Robinson, Patrol North, Wichita Police Department  
Officer Jamie Cavitt, Patrol South, Wichita Police Department  
Jess McNeely, Planning Department  
Joe Pajor, Public Works  
Cliff Fanning, Lynette Woodard Director  
Heidi Farmer-Drew, Neighborhood Assistant

\*Denotes District Advisory Board Alternates

## **ORDER OF BUSINESS**

### **Call to Order**

**Council Member Brewer** called the meeting to order at 7:03 p.m.

### **Approval of Minutes**

Motion to approve, DAB I minutes **Porter Robinson (Brown Foster)**. Motion carried (7-0)

### **Approval of Agenda**

**Council Member Brewer** asked if there were any additions to the agenda. **Ms. Saretta Jones**, representative for the Pennsylvania Avenue Neighborhood Association, and **Erin Hubert**, Interfaith Ministries, requested to speak on the Public Agenda. **Council Member Brewer** then asked for a motion to approve the agenda. **Moore (Hemmen)** made a motion to approve the agenda with the addition of Ms. Jones. Motion carried unanimously. (7-0)

## **Public Agenda**

### **1. Scheduled items**

**Recommendation: Provide comments/take appropriate action.**

### **2. Off-agenda items**

#### **2a. Century 2000 Neighborhood Association**

**Saretta Celestine-Jones** represented residents of the Pennsylvania Neighborhood Association, a sub-group of the Century 2000 Neighborhood Association read a letter (attached) addressed to Council Member Brewer including the following concerns:

- Clean up under the east side of the I-135 Canal
- Install and maintain six foot privacy fence
- Plant grass to minimize dust and dirt
- Conduct environmental studies of the area
- Reduce noise pollution

**Jones** additionally stated that the residents of the area felt there were major health issues in the area, and therefore requested to have the water, air and soil tested.

#### **2b. Operation Holiday – Interfaith Ministries**

**Erin Hubert**, Volunteer Coordinator at Interfaith Ministries gave an overview of the four programs offered by Interfaith Ministries, which include:

- Operation Holiday – food assistance program that runs from November 6-27
- Go Zones – youth after school program
- Faith and Action – Elderly assistance program helping the elderly stay independent
- Celebrate Safely – focusing on not using guns to celebrate the new year

**Hubert** may be contacted for additional information regarding any of the programs listed, 264-9303.

## **Public Works – No items submitted**

## **Staff Reports**

### **3. Itinerate Merchant**

**Kurt Schroeder**, Superintendent of the Office of Central Inspection, was present to provide information regarding the proposed Itinerate Merchant Ordinance. Background information (attached and includes options) indicated that the current ordinance "...distinguishes between persons on the basis of residence, it places an undue burden on, or discriminates against, interstate commerce and violates the Commerce Clause. Therefore, even though there may be a desire by some to modify local ordinances to favor local merchants, local laws or licensing regulations cannot place non-resident merchants at a disadvantage under Federal law."

3. **Itinerate Merchant (continued)**

Three options were offered to modify the ordinance

- Option I – Standard License: dissolve the “Itinerate Merchant” license
- Option II – Amend current ordinance by removing the residency clause
- Option III – Combine Standard and Itinerate licenses to a Temporary License

**Schroeder** stated staff recommended Option III, and requested DAB feedback. **Brown Foster (Thompson)** recommended support of the staff recommendation, Option III. Motion carried (10-0).

4. **Housing Project**

**James Albertha**, Power CDC, discussed the new sub-division at 25<sup>th</sup> Street and Minnesota; a joint project with the City of Wichita’s Housing Department. **Albertha** stated that Phase I will include 53-54 new homes.

This sub-division project is similar to the project on 21<sup>st</sup> Street and Piatt (behind the Cessna Training Center), coordinated by Power CDC. **Mark Stanberry**, Housing Department, stated that the drainage ditch in the area would be beautified and possibly have the bottom reinforced with concrete. Parkland would serve as a buffer area between the neighborhood and I-135. **Stanberry** also stated that these improvements enhance the area and help encourage the current residents to maintain their homes. The price range of the homes would be approximately \$75,000.00 to \$80,000.00.

**Treatha Brown Foster**, Northeast Millair Neighborhood Association President spoke on behalf of the Association and stated that it’s members were excited about the project. Brown Foster inquired about two unmarked areas located on the maps of the area that were distributed. **Stanberry** stated that the unmarked areas had been oil-producing area, which have been inspected by the Health Department and found to be safe. However, Housing and Power CDC have decided not to build homes on those sites.

5. **Fireworks**

Chief Larry Garcia was present to share possible options in modifying the current Fireworks policy. There are significant public safety and neighborhood nuisance implication associated with fireworks around the Fourth of July. Therefore, the City Council faces another opportunity to guide how staff will attempt to enforce fireworks restrictions next year. All options listed below need to include a significant amount of participation and support from residents. (see attachment for complete description of all options)

- Option A – Complete ban on all types o fireworks in the City of Wichita
- Option B – Ban all types of fireworks, but designate certain time period during July fourth only
- Option C – Maintain current restrictions (selected device, consumer-grade fireworks.)
- Option D – Allow all types of consumer-grade fireworks and only maintain normal Police and Fire Operations during July Fourth week.

After a lengthy discussion with the public and DAB members, **Moore** requested Council Member Brewer poll DAB members to see the general consensus:

Option A – 2  
Option B – 6  
Option C – 1  
Option D – 0

**5. Fireworks (continued)**

**Tully Gerber** requested to receive information on what other cities are doing (that do not completely ban fireworks); reviewing this information may assist the DAB in making a recommendation. **Garcia** stated that there was a research paper on file that had been completed by an intern containing **Tully Gerber's** requested information. **Garcia** will make contact with the Neighborhood Assistant to get the DAB members.

Council Member Brewer and DAB members agreed to defer making a decision on this item until additional information was received.

**Unfinished Business – No items submitted**

**Planning Cases**

**6. Case No.: ZON2002-60**

**Request:** Zone Change from “B” Multi-Family Residential and “LC” Limited Commercial to “OW” Office Warehouse

**Location:** At the southeast corner of 14<sup>th</sup> Street North and Terrace

**“MAPD Staff Report” – attached**

The applicant requests “OW” zoning on a vacant 1.83-acre platted site located south of 14<sup>th</sup> Street North, between Terrace and Pershing. The proposed development would require conformance to all property development standards in the *Unified Zoning Code*.

**Jess McNeely**, MAPD staff was in attendance to present this case and answer questions. DAB Members and the public, expressed the following concerns: 1) Trash/debris from the warehouse getting into homeowner's yards; 2) Lack of adequate parking at the retail location; 3) Concern that current customers are parking on Terrace impede traffic/traffic flow – warehouse may generate more business and thus increase on-street parking; and 4) Delivery trucks blocking street when backing into warehouse.

**Jones Williams (Thompson)** made a motion to recommend support of MAPD staff decision and recommendations to approve Zone Change request, ZON2002-60 with the following addition to the Protective Overlay:

- Parking must exceed requirements.

Motion carried 10-0

**New Business – No items submitted**

**Board Agenda**

**7. Neighborhood Matching Grant Program-No items submitted**

Application deadline for the 2002 grant year is November 15, 2002. The Neighborhood Assistant requests all application be turned in by November 12, 2002 so that the Application review committee may be notified and have sufficient time to review all applications submitted.

**General Comments/Announcements**

**Council Member Brewer**

- Next District I Coalition Breakfast – December 7, 2002 at Spears on 17<sup>th</sup> and Woodlawn 8:00 a.m. to 10:00 a.m.
- Neighborhood Matching Grant Deadline, November 12, 2002

Being no further business, **Jones Williams (Brown Foster)** moved to adjourn the meeting; motion carried unanimously. The meeting adjourned at 9:40 p.m.

Respectfully Submitted By,

Heidi Farmer-Drew  
Neighborhood Assistant,  
Council District I